

REMARKS

In response to the Office Action dated October 22, 2008, the Applicants have amended claims 1, 10, 19 and 22. Claims 1-25 are in the case. Reexamination and reconsideration of the application, as amended, are requested.

The Office Action rejected claims 1-25 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Reifel (U.S. Patent No. 7,013,288) in view of Kurz (U.S. Patent No. 6,584,290).

The Applicant respectfully traverses this rejection based on the amendments to the claims and the arguments below.

Specifically, the Applicant's independent claims 1, 10, 19 and 22 now includes automatically implementing a printing of the images included in the collection of images when a total number of the images included in the collection of images breaches the print quantity. In addition, independent claim 22 now includes code that determines a print quantity defined by a predetermined economical ship quantity.

In contrast, the Reifel reference merely discloses managing the distribution of image prints (see Abstract of Reifel) while Kurz et al. simply discloses a system that informs a user about consumable replacement components (see Summary of Kurz). Although the Examiner argued that Kurz discloses "automatically printing the documents (images) after an indication of a threshold condition," this is an incorrect interpretation of Kurz. This is because the "documents" in Kurz are not synonymous to "images," as relied upon by the Examiner (the Examiner placed the term "images" in parenthesis after the term "documents" on page 3 of the October 22, 2008 Office Action).

Instead, the "documents" in Kurz actually provide "status, configuration, or availability" of a customer replaceable unit (CRU). In other words, the "documents" are used to "identify a problem such as imminent end of life of the CRU" to help the user in "ordering a replacement CRU" (see col. 1, lines 62-66 of Kurz). Unquestionably, the "documents" in Kurz are not the same as the Applicant's claimed "images" because the "documents" provide status and order replacement help to the user and have nothing to do with a collection of images, like the Applicant's claimed invention.

As such, with regard to all of the independent claims, nowhere in the combined reference is there a disclosure, teaching or suggestion of the Applicant's claimed automatically implementing a printing of the images included in the collection of images when a total number of the images included in the collection of images breaches the print quantity. In addition, with regard to independent claim 22, clearly, nowhere in the combined reference is there a disclosure, teaching or suggestion of determining a print quantity defined by a predetermined economical ship quantity.

Thus, since the Applicant's claimed elements are not disclosed, taught or suggested by the combined references, the combined references cannot render the claimed invention obvious, and consequently, the Applicants submit that the rejection under 35 U.S.C. §103(a) should be withdrawn. *MPEP 2143*.

With regard to the dependent claims, since they depend from the above-argued respective independent claims, they are therefore patentable on the same basis. (*MPEP* § 2143.03).

Therefore, it is respectfully requested that all of the claims be allowed based on the amendments and arguments. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. Additionally, in an effort to further the prosecution of the subject application, the Applicants kindly request the Examiner to telephone the Applicants' attorney at **(818) 885-1575**. Please note that all mail correspondence should continue to be directed to:

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Respectfully submitted,
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